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Discrimination against white male found

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An English professor at the University of North Carolina illegally subjected a student to "intentional discrimination and harassment" because he was "a white, heterosexual Christian male" who expressed disapproval of homosexuality, the U.S. Education Department's Office of Civil Rights has ruled.

Professor Elyse Crystall violated student Timothy R. Mertes' civil rights, the agency said, by improperly accusing him of "hate speech" in an e-mail sent to students after a class discussion in which Mr. Mertes said he was a Christian and felt "disgusted, not threatened" by homosexual behavior.

"The e-mail message not only subjected the student to intentional discrimination and harassment, but also discouraged the robust exchange of ideas that is intrinsic to higher education and is at the very heart of the Constitution's protection of free speech," Alice B. Wender, the Education Department's southern regional director of civil rights concluded in a letter to UNC Chancellor James Moeser on Wednesday.

The ruling was hailed by Rep. Walter B. Jones, North Carolina Republican, who requested a civil rights probe five months ago after learning about the student's plight from a Raleigh talk-radio show.

"This vindicates this young man's First Amendment rights to speak out, as he has acknowledged, as a Christian," Mr. Jones said. "So I'm going to look at this as a victory for students in this country who feel that they have a right to express themselves. If you don't have that right in a collegiate classroom, what rights do you have?"

The department's letter said no penalty or further action was necessary because Ms. Crystall had apologized for her actions and the university had convened faculty workshops to discourage race and sex discrimination against white, male, Christian undergraduates.

Mr. Moeser, Ms. Crystall and Mr. Mertes did not respond to inquiries yesterday.

The federal ruling comes as Mr. Moeser and UNC administrators at the Chapel Hill campus have moved this month to shut down a male Christian fraternity there, Alpha Iota Omega, on the grounds the student group is violating the university's anti-discrimination policy because it excludes non-Christians and self-professed homosexuals from membership. The fraternity has filed a federal lawsuit against UNC to protect its membership policy from university interference.

"This adds another example to what is a problem at the University of North Carolina, Chapel Hill, and also, I believe, it's a problem across this nation," Mr. Jones said of the UNC effort to shut down the fraternity.

There have been similar efforts against Christian student groups at Gonzaga University in Spokane, Wash., the Pennsylvania State University, the University of Minnesota, the University of Oklahoma and Southwest Missouri State University.

The civil rights probe of UNC involved "a discussion seminar on diversity issues -- required for

graduation" for which Ms. Crystall was the professor, according to Ms. Wender's 11-page letter announcing the agency's decision.

In a session in February, students told investigators that they were discussing one author's views "that society affords whites, males, and heterosexuals privileges that others, for example, blacks, women and homosexuals, do not have," the decision letter stated.

A topic of the session was "whether heterosexual men felt 'threatened' by homosexual men." Toward the end of the class, Mr. Mertes stated that " 'threatened' was the wrong word to use."

According to the letter, Mr. Mertes cited the example of "a friend in California who is a Christian and who was propositioned by a gay man. He got a love letter from this man, and he felt dirty and disgusted, not threatened."

Mr. Mertes told the class "that, as a Christian, he felt the same way," the letter said. "He would not want to have to explain to his 6-year-old why two men are kissing at a ballgame. [Mr. Mertes] ended his remarks in the classroom by saying that the only way to regard this activity as a 'threat' is that homosexuality could be a threat to life, e.g., reproduction or procreation."

Mr. Jones said Ms. Crystall "didn't challenge [Mr. Mertes] in the class," but instead afterward "went around the environment of the classroom and e-mailed every student" to attack Mr. Mertes by name. The attack caused him to receive personal threats, and his car was vandalized, the congressman said.

In her e-mail, Ms. Crystall told students: "I will not tolerate any racist, sexist, and/or heterosexist comments in my class. What we heard Thursday at the end of class constitutes 'hate speech' and is completely unacceptable, it has created a hostile environment. I am deeply sorry and apologize to those of us who are now feeling that the classroom we share is an unsafe environment, for those of us who feel vulnerable or threatened. I will do my best to counter those feelings and protect that space from further violence."

Naming Mr. Mertes in the e-mail, Ms. Crystall wrote: "What we experienced, as unfortunate as it is, is, however, a perfect example of privilege, that a white, heterosexual, Christian male, one who vehemently denied his privilege last week insisting that he earned all he has, can feel entitled to make violent, heterosexist comments and not feel marked or threatened or vulnerable is what privilege makes possible."

The department ruling said Ms. Crystall "went beyond a permissible reference simply describing the student" and illegally targeted him for a charge of "hate speech" because he is "white and male."

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